

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

KESTREL HOLDINGS I, L.L.C.,)
Plaintiff,)
)
v.)
)
LEARJET INC. and BOMBARDIER)
INC.,)
)
Defendants.)
GERTNER, D.J.:

Civil Action No.
04-MBD-10068-NG

ORDER

April 7, 2004

Upon consideration of the Plaintiff's Motion to Compel Discovery ("Motion") and the memoranda and materials submitted in support of that motion, the Motion is hereby **GRANTED**.

IT IS HEREBY ORDERED THAT, within fourteen (14) days of this Order, Thomas Eagar should produce all documents requested in the subpoena duces tecum issued to him in this jurisdiction by delivering them to the offices of Dwyer & Collora, LLP, 600 Atlantic Avenue, Boston, MA 02210, care of David A. Bunis, Esq.

As a result, **IT IS FURTHER ORDERED THAT** Thomas Eagar shall pay the reasonable attorneys' fees and expenses incurred by Plaintiff relating to serving the subpoena and the Motion. Plaintiff shall submit to this Court for review documentation of

those attorneys' fees and expenses within (30) days of the receipt of the documents ordered above.¹

SO ORDERED.

Dated: April 7, 2004

s/NANCY GERTNER, U.S.D.J.

¹ The Court also wishes to put on the record -- in an abundance of caution and solely for completeness -- that she was a partner in local plaintiff counsel's firm ten years ago, but has no present financial or legal relationship with the firm. The failure to make this disclosure at the outset of the hearing -- which the Court typically does -- was simply inadvertent.